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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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|------------------------------|---|----------------------------|
| 11 UNITED STATES OF AMERICA, |) | No. CR-12-0834 EMC |
| |) | |
| 12 Plaintiff, |) | STIPULATION AND [PROPOSED] |
| |) | ORDER TO CONTINUE |
| 13 v. |) | |
| |) | |
| 14 JUAN DOMINGUEZ JR., |) | |
| |) | |
| 15 Defendant. |) | |
| _____ |) | |

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17 The parties jointly request that, subject to the Court's approval, the status conference
18 presently set for March 27, 2013 be continued to April 17, 2013 at 2:30 pm.

19 At the last appearance, the Court set the above-captioned matter over until March 27 for
20 possible change of plea. Since then defendant Juan Dominguez Jr. has learned that he has the
21 opportunity to take the G.E.D. exam on March 27 and that a court appearance on that date would
22 preclude his taking of the exam. Additionally, counsel for the government and defense counsel
23 are in negotiations over a potential resolution of the matter and would benefit from additional
24 time to complete those negotiations, as well as to further investigate the case. Accordingly, the
25 parties jointly request that the appearance be continued from March 27, 2013 to April 17, 2013.

26 For the above reasons, the parties stipulate there is good cause – taking into account the

public interest in the prompt disposition of this case – to exclude the time from March 27, 2013 to April 17, 2013 from computation under the Speedy Trial Act, and that failing to exclude that time would unreasonably deny the defendant and his counsel the reasonable time necessary for effective preparation and continuity of counsel, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv). The parties further agree that the ends of justice would be served by excluding the time from March 27, 2013 to April 17, 2013 from computation under the Speedy Trial Act and that the need for the exclusion outweighs the best interests of the public and the defendant in a speedy trial.

IT IS SO STIPULATED.

March 18, 2013
DATED

/s/
RANDY S. LUSKEY
Assistant United States Attorney

March 18, 2013
DATED

/s/
JODI LINKER
Assistant Federal Public Defender

IT IS SO ORDERED.

March 18, 2013
DATED

